

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

BRENDA J. DAVIS ROWE,

Plaintiff,

v.

GEORGIA DEPARTMENT OF  
BEHAVIORAL HEALTH AND  
DEVELOPMENTAL  
DISABILITIES,

Defendant.

CIVIL ACTION FILE

NO. 1:11-CV-03881-TWT-JFK

**FINAL REPORT AND RECOMMENDATION**

The complaint in this employment discrimination action was filed on November 10, 2011. When, almost five months later, the docket did not reflect that the complaint had been served on the defendant, the court ordered Plaintiff Brenda J. Davis Rowe, who is represented by counsel, to show cause in writing, within twenty-one days of entry of the court's order, why the above complaint should not be dismissed for failure to effectuate service of process, pursuant to Local Rule 41.2(B).<sup>1</sup> [Doc. 3, entered on

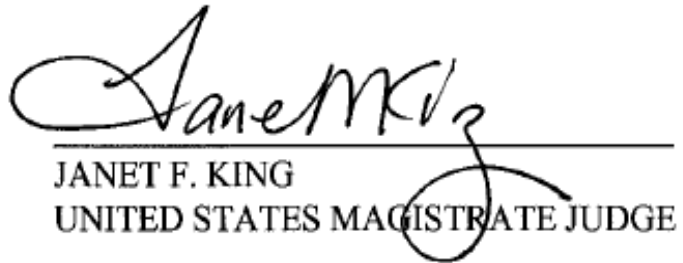
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<sup>1</sup>LR 41.2(B), N.D. Ga., provides: "In accordance with Fed. R. Civ. P. 4, the court may, with notice to the party on whose behalf service was required, dismiss the action without prejudice as to any defendant not served within 120 days after the filing of the complaint."

the docket on April 2, 2012]. If service has been effected, Plaintiff was to file an affidavit with the Clerk of Court showing that timely service was effected. [Id.].

The time for responding to the show cause order has expired, and Plaintiff has neither filed a response nor asked the court for an extension of time to file a response. The court having notified Plaintiff that the complaint would be involuntarily dismissed if she did not respond to the show cause order regarding her failure to serve Defendant, the undersigned magistrate judge **RECOMMENDS** that this action be **DISMISSED WITHOUT PREJUDICE**.

**SO RECOMMENDED THIS** 27<sup>th</sup> day of April, 2012.

  
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JANET F. KING  
UNITED STATES MAGISTRATE JUDGE